REMARKS

Claims 1-34, 36, 39 and 40 are pending in this application. By this Amendment, claims 1, 7-11, 16-18, 21, 25, 26, 31, 33 and 34 are amended to correct a spelling error and/or to overcome rejections under 35 U.S.C. §112. Claims 35, 37 and 38 are canceled. No new matter is added by this Amendment.

The courtesies extended to Applicants' representative by Examiner Goodrow at the interview held March 2, 2006, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

I. Specification Objection

The specification was objected to for not capitalizing trademarks. Applicants have capitalized all trademarks where found and added generic terminology if needed. Applicants submit that this objection is now moot. Reconsideration and withdrawal of the objection are respectfully requested.

II. Rejections Under 35 U.S.C. §112

A. First Paragraph

Claim 1 was rejected under 35 U.S.C. §112, first paragraph, as allegedly being based on a disclosure that is allegedly not enabling. Applicants disagree with this assertion. In the December 22, 2005 Office Action, the Patent Office recommended amending claim 1 to recite that the photoreceptor comprises a substrate. Solely to expedite the prosecution of this application, Applicants have amended claim 1 as suggested by the Patent Office. Reconsideration and withdrawal of the rejection are respectfully requested.

B. Second Paragraph

Claims 1, 9, 16, 17, 21, 31, 34 and 38 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

The Patent Office alleged that the durable layer recited in claim 1 should be a "cross-linkable binder." Applicants respectfully disagree with this allegation. The top layer is durable (i.e., wear resistant) and comprises a binder. See paragraph 37 of the specification. Clearly, "durable" refers to the top layer being wear resistant, not cross-linkable. In some embodiments, but not all embodiments, the wear resistance may be imparted by the top layer comprising a cross-linkable binder. Applicants thus submit that the durable layer recited in claim 1 does not necessarily include a cross-linkable binder as alleged by the Patent Office. Applicants thus submit that claim 1 is definite.

The Patent Office alleged that claims 9 and 17 were indefinite because LUCKAMIDE needed to be identified in the claim. To expedite the prosecution of the application, claims 9 and 17 have been amended to recite a polyamide polymer instead of LUCKAMIDE and ELVAMIDE. Other claims, such as claims 8, 25 and 33, reciting LUCKAMIDE have been similarly amended. Applicants thus submit that claims 8, 9, 17, 25 and 33 are definite.

The Patent Office rejected claim 16 as allegedly being indefinite for failing to recite that the solvent is by weight of dispersion. To expedite the prosecution of this application, Applicants have amended claim 16 as requested by the Patent Office. Applicants thus submit that claim 16 is definite.

Claim 21 was rejected as allegedly being indefinite because if the top layer is a charge transporting layer, the bottom layer must allegedly be bipolar charge generating. Although Applicants disagree with this allegation, to expedite the prosecution of this application,

Applicants have amended claim 21 as suggested by the Patent Office. Applicants thus submit that claim 21 is definite.

Claim 31 was rejected as allegedly being indefinite because the identity of 535+dimer was not identified. Solely to expedite the prosecution of this application, Applicants have amended claim 31 to delete this recitation. Claim 7 has been similarly amended. Applicants submit that claims 7 and 31 are now definite.

Claim 34 was rejected as allegedly being indefinite because the "thin" bipolar layer was not clearly described. Claim 34 has been amended to recite that the thin bipolar layer has a thickness of up to 10 microns. Applicants submit that claim 34 is definite.

Claim 38 was rejected as allegedly being indefinite because it allegedly did not further limit claim 1. Applicants have canceled claim 38. Applicants thus submit that the rejection of claim 38 is now moot.

For the foregoing reasons, Applicants submit that claims 1, 7, 8, 9, 16, 17, 21, 25, 31, 33 and 34 are definite. Reconsideration and withdrawal of the rejection are respectfully requested.

III. Rejection Under 35 U.S.C. §103(a)

Claims 1-5 and 7-38 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,890,693 ("Zhu") in view of U.S. Patent No. 6,656,650 ("Lin"). This rejection is respectfully traversed.

The Patent Office alleges that Zhu teaches a photoreceptor having a substrate, a charge generation layer comprising a charge generating compound and a charge transport compound, and an overcoat layer having an electron transport compound. The Patent Office admits that Zhu does not teach or suggest a bipolar layer, i.e., the use of both an electron transport material and a hole transport material in a single layer. The Patent Office thus

introduces Lin as allegedly teaching both electron transport and hole transport compositions in a single layer making the photosensitive element.

Applicants submit that if the teachings of Zhu and Lin were to have been combined as alleged by the Patent Office, the photoreceptor recited in claims 1-5 and 7-38 would not have been achieved. Zhu teaches a substrate, a charge generating core that may comprise both a charge generating compound and a charge transport compound in a single layer (see column 7, lines 15-20 of Zhu), and an overcoat layer comprising an electron transport component (see column 5, lines 11-12 of Zhu). As admitted by the Patent Office, Zhu does not teach or suggest a bipolar layer.

In addition, Zhu does not teach or suggest a photoreceptor having a negative charging mode of operation as recited in claim 1. In fact, Zhu teaches that the overcoat layer is particularly suitable for electrophotographic imaging with a positive surface charge. See column 2, lines 49-51 of Zhu. This means that electrons are transported through the photoreceptor. Thus, the photoreceptor would have a positive charging mode of operation, i.e., the exact opposite of the charging mode required in claim 1.

Lin merely teaches a supporting layer and a single photogenerating layer. See the Abstract of Lin. The photogenerating layer comprises particles dispersed in a matrix comprising an arylamine hole transporter and an electron transporter. The electrophotographic imaging member taught by Lin may be operated at either positive or negative biases. See column 3, lines 48-52 of Lin. Applicants submit that if the charge generating core of Zhu were to have been replaced with the single photogenerating layer of Lin as alleged by the Patent Office, the resulting photoreceptor would have a positive charging mode of operation. Because the overcoat layer of Zhu is particularly suitable for a

positive charging mode of operation, the resulting photoreceptor would thus have a positive charging mode of operation, not a negative charging mode of operation as required in claim 1.

Thus, even if Zhu and Lin were to have been combined as alleged by the Patent Office, the photoreceptor recited in claims 1-5 and 7-38 would not have been achieved because the formed photoreceptor would have a positive charging mode.

For the foregoing reasons, Applicants submit that Zhu and Lin, in combination or alone, do not teach or suggest all of the features recited in claims 1-5, 7-34, 36, 39 and 40. Reconsideration and withdrawal of the rejection are thus respectfully requested.

IV. Rejection Under 35 U.S.C. §102(b)/103(a)

Claims 39 and 40 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as allegedly obvious over Zhu. This rejection is respectfully traversed.

The Patent Office alleges that Zhu teaches a single charge generation and transport layer with both hole and electron transport materials used in a photoreceptor. See the paragraph bridging pages 4 and 5 of the Office Action. However on page 4 of the Office Action, the Patent Office admits that Zhu fails to teach the use of both electron and hole transport compounds in a single layer. See page 4 of the Office Action. The Patent Office statement on page 4 of the Office Action explaining that Zhu fails to teach or suggest the use of both electron and hole transport compounds in a single layer is correct. Thus, by the Patent Office's own admission, Zhu alone does not teach or suggest a bottom bipolar charge transport layer as recited in claim 39, or a bipolar charge generating layer as recited in claim 40.

For the foregoing reason, Applicants submit that Zhu does not teach or suggest all of the features recited in claims 39 and 40. Reconsideration and withdrawal of the rejection are thus respectfully requested.

V. Double Patenting

Claim 40 was provisionally rejected on the grounds of nonstatutory double patenting over claims 31 and 32 of copending Application No. 10/807,073. Applicants submit that because the provisional nonstatutory double patenting rejection is the only remaining rejection, the present rejection should be withdrawn and the application allowed to issue. See MPEP §804.

VI. Allowable Subject Matter

Applicants note with appreciation that claim 6 would be in condition for allowance if rewritten in independent form.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-34, 36, 39 and 40 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Leana Levin

James A. Oliff
Registration No. 27,075

Leana Levin
Registration No. 51,939

JAO:LL/hs

Date: March 20, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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